

# **Exhibit E**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GEORGE MOORE, VIRGINIA  
CARTER, JAMES JILEK, FRANCIS  
JAYE, and SEAN MADELMAYER,  
etc.,

Plaintiffs,

vs.

No. 4:18-CV-01962-SEP

COMPASS GROUP USA, INC., dba  
CANTEEN,  
Defendant.

\_\_\_\_\_ /

Videotaped Videoconference Deposition of  
JUSTIN REGUS  
Wednesday, September 13, 2023

Reported via videoconference by:  
JODIE BARRINGER MYERS, CSR No. 3820  
No.: 6095937

1 Q. Do you know the name of the company that  
2 operates the co-working space?

3 A. The co-working space is called Bizhaus, which  
4 is spelled Bizhaus.

5 Q. Mr. Regus, before we get started, I know 01:07  
6 you're an old hand at depositions, but I'd like to  
7 remind you of some ground rules.

8 As you know, the court reporter is making a  
9 stenographic record of the proceeding. To make her  
10 life easier, if I could ask you to speak clearly and 01:08  
11 to let everyone finish their answer or their questions  
12 and objections before you speak.

13 Also, I ask that you answer verbally rather  
14 than with nods or hand gestures.

15 Do you understand? 01:08

16 A. I understand.

17 Q. Mr. Regus, are you represented by counsel in  
18 connection with this deposition?

19 A. I am not.

20 Q. Are you -- prior to this deposition, were you 01:08  
21 acquainted with Rick Cornfeld?

22 A. Yes.

23 Q. And how long have you known Mr. Cornfeld?

24 A. I think I may have known him since maybe

25 around 2017. Sometime prior to COVID for sure. 01:08

1 Q. And in what context did you become acquainted  
2 with Mr. Cornfeld?

3 A. I was an expert witness hired by Mr. Cornfeld  
4 for one of his cases.

5 Q. And which case was that? 01:09

6 A. That would have been the Hertz, Hertz case.

7 Q. Do you remember the plaintiff's name in that  
8 case?

9 A. I don't remember.

10 Q. What was that case about? 01:09

11 A. That was a case that had to do with some fees  
12 charged by Hertz, rental car fees.

13 Q. And what was the nature of your engagement in  
14 that case?

15 A. So I performed some analyses to quantify the 01:10  
16 amount of the fees that consumers had paid to Hertz  
17 over some period of time.

18 Q. And did you provide testimony in that case?

19 A. I did.

20 Q. Deposition testimony? 01:10

21 A. That's right.

22 Q. Any evidentiary hearing testimony?

23 A. Can you clarify what you mean by that?

24 Q. Trial testimony?

25 A. No. 01:10

1 and better prices. So I would generally just walk  
2 over there.

3 Q. Okay. And the occasions when you would use  
4 the vending machine, how would you pay?

5 A. Yeah. So I think that would vary, depending 01:19  
6 on the time. But there were certainly times where I  
7 would use cash, and certain times where I would use a  
8 credit card.

9 Q. Any particular reason why you would use one  
10 or the other? 01:20

11 A. Yeah. The machines didn't always work in  
12 both methods. Sometimes one or the other method would  
13 not -- would be down. And then once I had observed  
14 that I was getting charged a fee for using my credit  
15 card, I would try to avoid ever doing that again. 01:20

16 Q. And you said try to avoid. Have you made  
17 purchases at the credit -- or at the vending machines  
18 with a credit card after discovering that it would  
19 charge more for a credit card transaction?

20 A. I know that I did on at least one occasion, 01:20  
21 when I was trying to -- trying to kind of -- what is  
22 it called -- recreate that process, so I could  
23 describe it to Mr. Cornfeld's colleague.

24 Q. And who are you referring to as  
25 Mr. Cornfeld's colleague? 01:21

1 A. His first name is Daniel.

2 Q. Go ahead.

3 A. Oh, I was going to say, he was the recipient  
4 of the emails, in the exchange I sent over to you.

5 Q. Okay. You're about a couple questions ahead 01:21  
6 of me. But we'll get there shortly.

7 Other than the one occasion you said you were  
8 trying to recreate the process, have you used a credit  
9 card at the vending machines at that location, after  
10 the time at which you learned that it would charge 01:21  
11 more for credit cards than for a cash transaction?

12 A. I don't recall if I did or not. I know my  
13 daughter would come in here asking for things, and I  
14 would look for cash, or I would try to dissuade her  
15 from using it. I am not sure. I can't remember a 01:22  
16 specific time where I used my credit card after that.

17 Q. Prior to that recreated process transaction,  
18 are you able to quantify how many times you used the  
19 credit card or used the vending machines, paying with  
20 a credit card? 01:22

21 A. No.

22 Q. Do you regularly -- or strike that.  
23 Do you make it a practice to review credit  
24 card statements to check prices?

25 A. I do typically review my credit card 01:23

1 oh, yeah, I just paid one of those fees. Or I just --  
2 that just happened to me. And so I knew exactly what  
3 he was talking about.

4 And I explained that the machine here, at  
5 Bizhaus, did exactly what he was describing. 01:29

6 Q. Okay. And what else did the two of you  
7 discuss on this topic at that time?

8 A. Yeah. So probably what is reflected in this  
9 email here. That, you know, that I would check for  
10 signs and see if anyone else -- see if anyone in the 01:29  
11 building would be -- or who had been charged extra  
12 would be open to talking with us, with them, about  
13 that.

14 Q. And you agreed to do that?

15 A. That's right. 01:30

16 Q. Why did you agree to do that?

17 A. Yeah. I guess when I paid that extra fee or  
18 when I was charged more than what the posted price  
19 was, you know, I thought that was kind of wrong. And  
20 so when Mr. Cornfeld said he was working on a case 01:30  
21 involving that, I thought the right thing to do would  
22 be to help out, if I could.

23 Q. And prior to speaking with Mr. Cornfeld about  
24 this issue, had you spoken with anybody at Bizhaus  
25 about it? 01:30

1 A. I'm not sure, not that I can recall. I guess  
2 I really don't recall one way or the other on that.

3 Q. So it's possible, but you don't remember?

4 A. That's right.

5 Q. So was the idea that you would be trying to 01:31  
6 find individuals for Mr. Cornfeld who would be willing  
7 to serve as plaintiffs in a potential action?

8 A. Can you repeat that?

9 MR. WYLIE: Can the court reporter read it  
10 back? 01:32

11 (Record read.)

12 THE WITNESS: Yeah. I guess that would be my  
13 understanding.

14 If you look at what Mr. Levy says, it doesn't  
15 go as far as to say potential plaintiffs. It just 01:32  
16 says, people who are willing to talk with them.

17 But yeah, you know, I think from my, you  
18 know, non-attorney understanding, that was generally  
19 the idea.

20 Q. MR. WYLIE: And at the time you had your 01:32  
21 initial discussion with Mr. Cornfeld, did you know  
22 what company operated the vending machines at Bizhaus?

23 A. No.

24 Q. You didn't recall what the credit card  
25 statement said in terms of the price -- or excuse me 01:32



1 -- in terms of the vendor?

2 A. No.

3 Q. But you do recall that you discovered this by  
4 looking at your credit card statement?

5 A. No. I discovered it by looking at the 01:32  
6 machine. When I had -- when I had made my purchase,  
7 you know, I used my credit card, and I was watching  
8 the machine as it said, you know, something like  
9 "Processing."

10 And then -- and I was waiting to see, first 01:33  
11 of all, would the charge go through; and secondly,  
12 would the item actually drop off the coil and down  
13 into the basket where I could get it.

14 And as I was watching, you know -- and I  
15 don't -- I don't know what it is that I bought at this 01:33  
16 time. But let's say it was -- the price was a dollar  
17 50. When it came to the end of the transaction, it  
18 said 'You've been charged a dollar 60,' or a dollar  
19 65, or whatever it was. And so that -- so it was  
20 actually on the machine itself. 01:33

21 It wasn't on the credit card statement, that  
22 I learned that I had been charged more than what the  
23 price was on the item.

24 Q. Um, did Mr. Cornfeld ask you if you would be  
25 willing to serve as a plaintiff in an action over this 01:34

1 Q. Do you recall anything else about your  
2 conversation with him?

3 A. I am not sure. I don't recall specifically.  
4 No.

5 Q. Scroll up to I believe the next email. This 01:42  
6 is on page 14 of Exhibit 1. It's an email from  
7 Mr. Levy to you, also on June 20th, 2019. I want to  
8 just ask you about the second paragraph.

9 It says, "In terms of moving forward, if  
10 you're able to ask around in your building and find 01:42  
11 others who this happened to, could you then let us  
12 know of anyone who is open to talking with us about it  
13 / potentially bringing a lawsuit? Then, after we have  
14 any specific individuals to talk to, we can coordinate  
15 setting up calls with them. 01:42

16 "Thanks again for your help. We really  
17 appreciate it."

18 After this email, did you speak with anyone  
19 at your office about the credit card pricing issue at  
20 the vending machines? 01:43

21 A. I did.

22 Q. How many people did you speak with?

23 A. At least three. Potentially more. I'm not  
24 sure.

25 Q. And when you say potentially more, do you 01:43

## REPORTER'S CERTIFICATE

I certify that the foregoing proceedings in the within-entitled cause were reported at the time and place therein named; that said proceedings were reported by me, a duly Certified Shorthand Reporter of the State of California, and were thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for either or any of the parties to said cause of action, nor in any way interested in the outcome of the cause named in said cause of action.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of September, 2023.



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JODIE BARRINGER MYERS

California CSR No. 3820